

REMARKS

The Office Action of July 7, 2004, has been reviewed, and in view of the following remarks, reconsideration and allowance of all of the claims pending in the application are respectfully requested. Applicants believe that the combination of claim limitations as recited are not disclosed or taught by any of the cited references, alone or in combination. Reconsideration is therefore earnestly requested.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-48 are currently rejected under 35 U.S.C. § 102(b) based on a public use or sale by Template Software Corporation's commercial product SNAP 8.0, released in 1997. More specifically, the Office Action relies upon the "Using the SNAP Development Environment" manual (hereinafter "SNAP reference").

Chapter 5 of the SNAP reference discusses the Shared Information Base (SIB) facilities that supports interprocess communication. SIB facilities are used to share classes among the processes in an application. The SIB Connection Editor is used to define communications connections between processes. As stated on 5-4 of the SNAP reference, a SIB connection is the mechanism through which two processes communicate using the TCP/IP communication protocol. The communicating processes connect to share data in the form of classes.

In the Office Action mailed July 7, 2004, the Examiner has provided a different rationale for rejecting the pending claims relying on other excerpts of the SNAP reference, more specifically, COMM. The Office Action now relies upon COMM as part of the SNAP reference, which also fails to disclose the combination of claim limitations set forth by Applicants.

COMM is directed to initializing attributes of the SIB Connection Class. By using a predetermined list of attributes, specified information is shared automatically, which information is updated explicitly, immediately after the connection is made. For example, initial configuration can be changed by calling functions that turn off automatic updating. Initialization attributes are shared at three different levels - Class, Objects and Attributes.

For a proper rejection under 102(b), each and every limitation of the claims must be shown in a single reference. Under 35 U.S.C. § 102, the Patent Office bears the burden of presenting at least a prima facie case of anticipation. In re Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). Anticipation requires that a prior art reference disclose, either expressly or under the principles of inherency, each and every element of the claimed invention. Id. “In addition, the prior art reference must be enabling.” Akzo N.V. v. U.S. International Trade Commission, 808 F.2d 1471, 1479, 1 USPQ2d 1241, 1245 (Fed. Cir. 1986), cert. denied, 482 U.S. 909 (1987). That is, the prior art reference must sufficiently describe the claimed invention so as to have placed the public in possession of it. In re Donohue, 766 F.2d 531, 533, 226 USPQ 619, 621 (Fed. Cir. 1985). “Such possession is effected if one of ordinary skill in the art could have combined the publication’s description of the invention with his own knowledge to make the claimed invention.” Id. The SNAP reference, including the COMM disclosure, fails to show each and every limitation as claimed by Applicants. Therefore, the rejection is improper and should be withdrawn.

The SNAP reference, including the COMM disclosure, fails to show an application component comprising a combination of context, façade and event portal wherein a service is managed as an independent entity. For example, the SNAP reference fails to disclose a façade

for containing context-independent service logic wherein the façade is not associated with the service session. This limitation is completely missing from the SNAP reference. Rather, the SNAP reference appears to be concerned with a SIB connection through which two processes communicate using the TCP/IP communication protocol. The Office Action states that the SNAP reference discloses an ability to create a object oriented template but fails to show how the SNAP reference discloses a façade for containing context-independent service logic wherein the façade is not associated with the service session. As the SNAP reference fails to disclose at least this limitation, the rejection is improper and should be withdrawn. In addition, the SNAP reference fails to further disclose the context for containing logic and data associated with a service session and an event portal for providing entry and exit interfaces. The Office Action attempts to address these limitations by relying upon the COMM disclosure and filter functions, without an explanation of how the claim limitations are met by the SNAP reference. The relied upon disclosure fails to disclose the combination of limitations recited by Applicants. These limitations are recited in independent claims 1 and 24.

The Office Action relies upon the filter function (page 8-1, 8-2) to address the claimed façade limitation. The filter function of SNAP is a C function that is defined by the user and is called when a local process receives a SIB or RPC facility message from a remote process. The local process can use SIB module functions to examine the message to determine if and how the message should be processed. The SNAP reference further explains that most applications never need to use a filter function where the most common uses are to provide security or record locking for SIB facility-based data sharing. The filter function of SNAP falls short of meeting the claim limitation directed to the façade feature of the independent claims. In addition, the

filter function also fails to meet the claim limitation directed to the context and event portal as recited by Applicants.

Dependent claims 2-23 and 25-46 further recite additional features that are not disclosed in the SNAP reference. For instance, the SNAP reference fails to disclose the wiring tool, as recited by Applicants in claims 4-8, 12, 14-16, 27-31, 35, 37-39. The SNAP reference also fails to show the network independence and protocol independence feature, claimed by Applicants in claims 9, 11, 32 and 34. Rather, the SNAP reference is dependent on the TCP/IP communication protocol. The specific limitations directed to the context are also missing from the SNAP reference.

Claims 47 and 48 further recite additional limitations that are not addressed in the applied reference. Claim 47 recites *“a context for containing logic and state data associated with a transaction, the context having a plurality of variants wherein each context variant is associated with a specific transaction;”* *“a façade for containing context-independent service logic wherein the façade is not associated with the transaction wherein the façade instantiates a plurality of context variants depending on configuration data;”* and *“an event portal for providing entry and exit interfaces for the application component wherein the event portal sends and receives at least one event for the transaction wherein the at least one event comprises an object used to communicate details of an occurrence;”* *“wherein the façade processes the event for the transaction and invokes a specific context variant of the plurality of context variants and adds the specific context variant to a context envelope for establishing a transaction specific communication path,”* and *“wherein the application component is protocol independent and network independent.”* Claim 48 includes similar corresponding limitations.

Claims 47 and 48 recite “ wherein the façade instantiates a plurality of context variants depending on configuration data. This Office Action fails to identify how the filter functions of COMM meet at least this limitation. These claims further recite “wherein the façade processes the event for the transaction and invokes a specific context variant of the plurality of context variants and adds the specific context variant to a context envelope for establishing a transaction specific communication path.” The Office Action addresses this claim limitation by relying upon filter functions and attribute editing functions. The Office Action has failed to show how the claimed combination of limitations are met by the alleged teachings of the SNAP reference. Thus, the Office Action has failed to meet its burden.

The SNAP reference fails to disclose the claimed combination of limitations. In addition, there is no proper motivation for modifying the SNAP reference to include the missing limitations. As discussed above, there are clear differences between the present invention and the SNAP reference. The cited references fail to show, teach or make obvious the invention as claimed by Applicants. For at least the reasons presented above, the rejection should be withdrawn.

CONCLUSION

In view of the foregoing amendments and arguments, it is respectfully submitted that this application is now in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

It is believed that no fees are due for filing this Response. However, the Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees, to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

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By: 

Thomas E. Anderson
Registration No. 37,063

Hunton & Williams LLP
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500 (phone)
(202) 778-2201 (facsimile)